

title, easement or right of way in, over or through any and all lands for any of its necessary and authorized purposes, except lands used for cemetery purposes and lands used for supplying water under the laws of this State; defining certain purposes for which property may be condemned by such districts, including the condemnation of materials to be used for any lawful purposes of water improvement districts; providing for the institution of condemnation proceedings, the procedure relative thereto, and the assessing and payment of damages for property taken; providing for the determination of disputes or adverse or conflicting claims concerning title to property sought to be condemned, and the damages thereto; providing that no delay in such determination, nor any appeal, shall cause a suspension of work; providing that the omission of any person owning an interest in property from such proceedings, or a failure of such person to receive notice thereof, shall not affect such proceedings as to any person not omitted who has received such notice; providing a method of condemnation when any such district is sued for property occupied by it or for damages thereto; and providing that this act is cumulative of other laws upon the same subject, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 5, 1930.
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 32, A bill to be entitled "An Act to amend House bill No. 6, Chapter 88, page 172, Acts of the Forty-first Legislature, Second Called Session, by adding under Section 1, subsection O, defining 'farm trailer'; by adding subsection P, defining 'farm semi-trailer'; by adding subsection Q, defining the phrase 'operated or moved temporarily upon the highways,' and by including under Section 2 certain 'farm trailers' and 'farm semi-trailers' with other vehicles exempted from license and registration fees; repealing House bill No. 55, Fourth Called Session, Forty-first Legislature, and creating an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 5, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 38, A bill to be entitled "An Act to add to the Revised Civil Statutes of Texas for 1925 a new article to be known as Article 7047a, to provide for an occupation tax on the business or occupation of owning, operating, managing or controlling exchanges which furnish quotations on the stock market on certain commodities, or stocks and bonds; providing said act shall not apply to certain persons, firms, corporations, or associations of persons, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, March 5, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 7, A bill to be entitled "An Act imposing an occupation tax upon theatrical, dramatic and musical comedy shows, moving picture shows, opera houses, theatres, tents, air domes, and other such structures used for public entertainment operating for private profit; said tax to be collected from the owner, proprietor or operator of such places of entertainment; said tax to be collected from all shows, moving pictures and other public entertainments or exhibitions given for profit in cities, towns and villages; the amount to be graduated according to the population of said cities, towns and villages as described herein, imposing an annual tax according to said population of said cities, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

TWELFTH DAY.

(Friday, March 7, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.
Acker.

Adkins.
Albritton.

Allred.	Magee.
Baker.	Mankin.
Barnett.	Marks.
Bateman.	Mauritz.
Beck.	Maynard.
Bond.	McCombs.
Bounds.	McDonald.
Bradley.	McGill.
Brice.	Mehl.
Brooks.	Metcalf.
Carpenter.	Minor.
Chastain.	Moore.
Coltrin.	Morse.
Conway.	Murphy.
Cox of Lamar.	Negley.
Cox of Limestone.	Nicholson.
Davis.	Olsen.
DeWolfe.	Palmer.
Dunlap.	Patterson.
Enderby.	Pavlica.
Farrar.	Petsch.
Finn.	Pool.
Finlay.	Pope of Jones.
Forbes.	Pope of Nueces.
Fuchs.	Purl.
Gates.	Quinn.
Gilbert.	Ray.
Giles.	Reader.
Graves	Reid.
of Williamson.	Renfro.
Hardy.	Richardson.
Harding.	Riley.
Harman.	Rogers.
Harper.	Sanders.
Harrison.	Savage.
Heaton.	Shaver.
Hines.	Shelton.
Hogg.	Sherrill.
Holder.	Simmons.
Hopkins.	Sinks.
Hornaday.	Snelgrove.
Hubbard.	Speck.
Jenkins.	Stephens.
Johnson	Stevenson.
of Dallam.	Storey.
Johnson	Tarwater.
of Dimmit.	Terrell.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Turner.
Jones.	Van Zandt.
Justiss.	Waddell.
Keeton.	Wallace.
Keller.	Walters.
Kemble.	Warwick.
Kennedy.	Webb.
Kincaid.	West.
King.	Wiggs.
Land.	Williams
Lee.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Loy.	Young.

Absent.

Baldwin.	Eickenroht.
Duvall.	Kenyon.

Lemens.	Mullally.
Martin.	O'Neill.
Montgomery.	Prendergast.
Mosely.	Westbrook.

Absent—Excused.

Ackerman.	McKean.
Anderson.	Rountree.
Avis.	Thompson.
Graves of Erath.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Woodruff for today, on motion of Mr. DeWolfe.

Mr. Graves of Erath for today, on motion of Mr. Brice.

Mr. Rountree for today, on motion of Mr. Metcalfe.

Mr. Hefley for today, on motion of Mr. Justiss.

Mr. Ackerman for today, on motion of Speaker Barron.

Mr. Kayton and Mr. Anderson for today and tomorrow, on motion of Mr. Reader.

The following members were granted leaves of absence on account of illness:

Mr. Williams of Hardin for today and tomorrow, on motion of Speaker Barron.

Mr. Duvall for today and tomorrow, on motion of Mr. Patterson.

Mr. Veatch and Mr. Avis for today and tomorrow, on motion of Mr. Brice.

Mr. Heaton for today, on motion of Mr. Van Zandt.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Lemens:

H. B. No. 103, A bill to be entitled "An Act amending Chapter 91 of the General and Special Laws of Texas of 1927 of the First Called Session of the Fortieth Legislature, entitled 'An Act providing for a rural school supervisor in lieu of the teachers' institute as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties hav-

ing a population of 36,750 to 37,550 according to the Federal census of 1920, and a scholastic population of at least 9,000 as shown by the scholastic census report for the school year of 1926-27, and declaring an emergency,' so as to provide for the payment of expenses of said rural school supervisor, and declaring an emergency."

Referred to Committee on Education.

By Mr. Hardy:

H. B. No. 104, A bill to be entitled "An Act to amend Article 1747 of the Revised Civil Statutes of Texas, 1925, so as to permit persons unable to pay costs or give security therefor, to be entitled to prosecute their appeal in the appellate courts without requiring any bond, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Petsch:

H. B. No. 105, A bill to be entitled "An Act providing for the taking of depositions in matters pending before the Railroad Commission, or any division thereof; prescribing rules and regulations governing the same, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Brooks:

H. B. No. 106, A bill to be entitled "An Act providing that any person who shall break any lock on any gasoline or oil pump, drum, or container, used for storing or containing any gasoline, lubricating oils or any petroleum products, with the intent to fraudulently take any gasoline, lubricating oil or petroleum products therefrom, and belonging to a person other than the person taking, without the consent of the owner and with intent to deprive the owner of the value of the same and to appropriate it to the use and benefit of the person taking, shall be guilty of a felony and upon conviction confined in the penitentiary not less than two nor more than three years, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Maynard:

H. B. No. 107, A bill to be entitled "An Act to amend Section 39 of Article 7047 of Chapter 1 of Title 122, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Storey:

H. B. No. 108, A bill to be entitled "An Act to authorize the commissioners court of Wilbarger county, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, and to authorize said commissioners court of Wilbarger county, Texas, out of the road and bridge funds of said county, to pay not more than 25 per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose; and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas; and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Tillotson:

H. B. No. 109, A bill to be entitled "An Act to provide a special county road law for Austin county, Texas; declaring county commissioners shall be ex-officio road supervisors of their respective precincts and, subject to the direction of the commissioners court, have charge of all road equipment for the building and maintenance of roads in their respective precincts; and defining the authority and duties of said commissioners as road supervisors; requiring bond of such commissioners as road supervisors; and requiring the keeping of certain accounts; providing for the purchase of material and supplies necessary in the discharge of the duties imposed, and for the employment of necessary labor; and providing that this act, etc."

Referred to Committee on Highways and Motor Traffic.

By Mr. Long of Wichita, Mr. Marks, Mr. Sherrill and Mr. Storey:

H. B. No. 110, A bill to be entitled "An Act fixing the salary of the district attorney of the Thirtieth Judicial District, and prescribing the manner of its payment, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Harman:

H. B. No. 111, A bill to be entitled "An Act amending Section 17, Article

7065n, subdivision 3, House bill No. 6, Chapter 88, Second Called Session of the Forty-first Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hogg and Mr. Sanders:

H. B. No. 112, A bill to be entitled "An Act imposing upon the right and privilege of producing or manufacturing carbon black within this State an occupation tax equal to one-fourth of one cent for each pound of carbon black so manufactured or produced; defining 'person' and 'carbon black'; providing for reports and records; imposing forfeitures and penalties for failure to keep such records and make such reports and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Bradley, Mr. Hogg, Mr. Morse and Mr. Acker:

H. B. No. 113, A bill to be entitled "An Act to amend Title 76 of the Revised Civil Statutes of Texas of 1925, by adding thereto Article 4646a, providing that no injunction shall be granted to stay or prevent the vacating, abandonment or closing, by the city council or governing body of any incorporated city of this State, of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessee of property actually abutting on that part of such street or alley actually vacated, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Johnson of Dimmit:

H. B. No. 114, A bill to be entitled "An Act to validate the grant of land made by the Crown of Spain to Jose Clemente Gutierrez, his heirs and assigns, of Portion 41, lying and being situated in Zapata county, Texas, and to authorize the Commissioner of the General Land Office to issue patent to Jose Clemente Gutierrez, his heirs and assigns, to said portion, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Gilbert and Mr. Chastain:

H. B. No. 115, A bill to be entitled "An Act authorizing the commissioners court to contract for the collection of insolvent taxes due on personal property

in the same manner and subject to the same rules and regulations as now provided by law for contracts governing the collection of delinquent taxes due on real property; provided, that such contracts for the collection of insolvent taxes may authorize the payment of commissions without the necessity of suit being filed to effect collection, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Gilbert and Mr. Chastain:

H. B. No. 116, A bill to be entitled "An Act providing that all petroleum tank cars used in this State shall be liable for taxation in the county where such tank cars are maintained or assembled for storing or shipping petroleum products, or where the owner or lessee of such tank cars maintains an office or loading rack; providing that where any railroad company owns tank cars, the same shall be subject to taxation in the same manner as other rolling stock owned by such railroad company, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hines:

H. B. No. 117, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor, and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

Referred to Committee on Education.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, March 7, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 25, A bill to be entitled "An Act enlarging the powers and duties of the Railroad Commission of Texas with reference to conservation, transportation, storage, and purchase of petroleum and its products in this State; designating as public utilities the owners, operators and managers of oil storage tanks and storage facilities for the

public hire, etc., and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 25, to the Committee on Oil, Gas and Mining.

BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolution:

H. C. R. No. 5, Requesting Hon. Henry Ford to locate certain educational institutions in Texas.

S. B. No. 18, "An Act authorizing certain cities and counties, or either of them, to acquire property within any incorporated city to be used for hospital purposes, and authorizing such cities and counties to donate same to the State of Texas for hospital purposes, and declaring an emergency."

HOUSE BILL NO. 10 WITH SENATE AMENDMENTS.

Mr. Graves of Williamson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 10, A bill to be entitled "An Act to provide for the reorganizing, reforming and rehabilitating the Texas prison system and to improve the same into a modern penal institution; to provide for the establishment of industries in connection with the prison system; to provide for the direction of prison system farm activities; for the control and employment and care of State prisoners; to provide for improvements of the prison system; to provide authority to the Prison Board to contract with the State Board of Control for the sale of all prison system products useful for State institutions and departments, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Graves of Williamson moved that the House do not concur in the Senate

amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

SENATE BILL NO. 17 ON THIRD READING.

Mr. Morse moved that the regular order of business be suspended to take up and have placed on its third reading and final passage,

S. B. No. 17, A bill to be entitled "An Act creating an additional district court for Harris county; defining its jurisdiction; adjusting the business of the existing district courts to the business thereof; prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

Mr. Finlay moved to table the motion, and the motion to table was lost.

Question then recurring on the motion by Mr. Morse, it prevailed.

The Speaker then laid the bill before the House and it was read third time.

(Mr. McGill in the chair.)

Mr. Kemble moved the previous question on the passage of the bill, and the main question was ordered.

(Speaker in the chair.)

Senate bill No. 17 was then passed by the following vote:

Yeas—88.

Mr. Speaker.	Hubbard.
Adkins.	Johnson
Allred.	of Dallam.
Baker.	Johnson
Bateman.	of Dimmit.
Beck.	Johnson of Smith.
Bounds.	Jones.
Bradley.	Justiss.
Carpenter.	Keeton.
Chastain.	Keller.
Coltrin.	Kemble.
Cox of Lamar.	Kincaid.
Dunlap.	Land.
Enderby.	Lee.
Finn.	Long of Houston.
Forbes.	Long of Wichita.
Fuchs.	Loy.
Gilbert.	Mankin.
Giles.	Marks.
Graves	Mauritz.
of Williamson.	Maynard.
Hardy.	McDonald.
Harding.	McGill.
Harman.	Mehl.
Harrison.	Metcalfe.
Hines.	Minor.
Hogg.	Moore.
Holder.	Morse.
Hopkins.	Murphy.

Negley.	Simmons.
Nicholson.	Sinks.
Olsen.	Stevenson.
Palmer.	Storey.
Patterson.	Tarwater.
Petsch.	Terrell.
Pope of Jones.	Van Zandt.
Pope of Nueces.	Waddell.
Quinn.	Wallace.
Ray.	Walters.
Reader.	Warwick.
Richardson.	Webb.
Riley.	Williams
Rogers.	of Sabine.
Savage.	Williams
Shaver.	of Travis.
Shelton.	Young.

Nays—12.

Davis.	Kennedy.
DeWolfe.	Magee.
Finlay.	Snelgrove.
Gates.	Stephens.
Harper.	West.
Jenkins.	Wiggs.

Present—Not Voting.

Albritton.	Farrar.
Brice.	Pavlica.
Cox of Limestone.	Renfro.

Absent.

Acker.	McCombs.
Baldwin.	Montgomery.
Barnett.	Mosely.
Bond.	Mullally.
Brooks.	O'Neill.
Conway.	Pool.
Duvall.	Prendergast.
Eickenroht.	Purl.
Hornaday.	Sanders.
Johnson of Scurry.	Sherrill.
Kenyon.	Speck.
King.	Tillotson.
Lemens.	Turner.
Martin.	Westbrook.

Absent—Excused.

Ackerman.	McKean.
Anderson.	Reid.
Avis.	Rountree.
Graves of Erath.	Thompson.
Heaton.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.

PROPOSED AMENDMENT TO THE HOUSE RULES.

Mr. Young offered the following proposed amendment to the House rules:

Amend Rule 19, Section 7, by dividing it into three sections to read as follows: "And providing that the sections of

the rules shall be renumbered accordingly.

"7. All bills when reported favorably by a committee shall immediately be sent to the printer by the Calendar Clerk and a printed copy laid on the desk at least twenty-four hours before the bill is acted upon by the House, except in the last ten days of the session, when it shall be in order to consider a bill as soon as it is laid upon the desk of the members.

"Section 8. In the event a notice of favorably minority report is given, the Calendar Clerk is instructed to hold a bill two days if necessary awaiting the filing of a minority report. But, during the last fifteen days of a session, he shall not hold a bill more than twenty-four hours awaiting a minority report.

"Section 9. All other bills, resolutions, reports, petitions and other matters not provided for in the rules shall be printed only by order of the House."

The amendment was read and referred by the Speaker to the Committee on Rules.

HOUSE BILL NO. 29 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 29, A bill to be entitled "An Act authorizing the sale of certain lands owned by the State of Texas located near El Paso and known as the abandoned site of the State School of Mines and Metallurgy; providing regulations in reference thereto, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Dunlap.
Acker.	Enderby.
Adkins.	Farrar.
Albritton.	Finn.
Allred.	Finlay.
Baker.	Forbes.
Barnett.	Fuchs.
Bateman.	Gilbert.
Beck.	Giles.
Bounds.	Hardy.
Bradley.	Harding.
Brice.	Harman.
Brooks.	Harper.
Carpenter.	Hines.
Coltrin.	Hogg.
Conway.	Holder.
Cox of Lamar.	Hubbard.
Cox of Limestone.	Jenkins.
Davis.	Johnson
DeWolfe.	of Dallam.

Johnson	Pool.
of Dimmit.	Pope of Jones.
Johnson of Smith.	Pope of Nueces.
Jones.	Quinn.
Justiss.	Ray.
Keeton.	Reader.
Keller.	Richardson.
Kemble.	Riley.
Kennedy.	Rogers.
Kincaid.	Savage.
King.	Shaver.
Land.	Sherrill.
Lee.	Simmons.
Long of Houston.	Sinks.
Long of Wichita.	Snelgrove.
Loy.	Speck.
Magee.	Stephens.
Mankin.	Stevenson.
Marks.	Storey.
Maynard.	Tarwater.
McDonald.	Terrell.
McGill.	Van Zandt.
Mehl.	Waddell.
Metcalfe.	Wallace.
Minor.	Walters.
Moore.	Warwick.
Morse.	Webb.
Murphy.	West.
Negley.	Williams
Olsen.	of Sabine.
Palmer.	Williams
Patterson.	of Travis.
Pavlica.	Young.
Petsch.	

Nays—1.

Shelton.

Absent.

Baldwin.	Mauritz.
Bond.	McCombs.
Chastain.	Montgomery.
Duvall.	Mosely.
Eickenroht.	Mullally.
Gates.	Nicholson.
Graves	O'Neill.
of Williamson.	Prendergast.
Harrison.	Purl.
Hopkins.	Renfro.
Hornaday.	Sanders.
Johnson of Scurry.	Tillotson.
Kenyon.	Turner.
Lemens.	Westbrook.
Martin.	Wiggs.

Absent—Excused.

Ackerman.	McKean.
Anderson.	Reid.
Avis.	Rountree.
Graves of Erath.	Thompson.
Heaton.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.

HOUSE BILL NO. 75 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 75, A bill to be entitled "An Act to amend Chapter 5, Title 115, of the Revised Statutes of 1925, by adding thereto Article 6662a, providing that all ordinances of cities, towns or villages levying assessments against property for the paving, straightening, widening, opening, extending, grading, raising, lowering or improving streets, or levying assessments for public improvements of any kind or character, be filed for record in the office of the county clerk of the county in which any such city, town or village is located before constituting liens against any such real property as against purchasers or mortgagees for valuable considerations, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 33 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 33, A bill to be entitled "An Act providing for and authorizing for exchange between the State of Texas and the Concho, San Saba and Llano Valley Railroad Company of certain lands belonging to them, respectively, situated in Tom Green county, Texas, and the execution of deeds of conveyance effecting such exchange, placing the land to be so acquired by and conveyed to the State in and under the possession, control and management of the State Board of Control and constituting same a part of the grounds of said State Tuberculosis Sanatorium, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Chastain.
Acker.	Coltrin.
Adkins.	Conway.
Albritton.	Cox of Lamar.
Baker.	Cox of Limestone.
Barnett.	Davis.
Bateman.	DeWolfe.
Beck.	Dunlap.
Bond.	Enderby.
Bounds.	Finlay.
Brice.	Forbes.
Brooks.	Fuchs.
Carpenter.	Gilbert.

Giles.	Murphy.
Graves	Negley.
of Williamson.	Nicholson.
Hardy.	Olsen.
Harding.	Palmer.
Harman.	Pavlica.
Harper.	Petsch.
Harrison.	Pool.
Hines.	Pope of Jones.
Hogg.	Pope of Nueces.
Holder.	Ray.
Hopkins.	Reader.
Jenkins.	Richardson.
Johnson	Riley.
of Dallam.	Rogers.
Johnson	Sanders.
of Dimmit.	Savage.
Johnson of Smith.	Shaver.
Johnson of Scurry.	Sherrill.
Jones.	Simmons.
Justiss.	Sinks.
Keeton.	Snelgrove.
Keller.	Speck.
Kemble.	Stephens.
Kennedy.	Stevenson.
Kincaid.	Storey.
Land.	Tarwater.
Lee.	Terrell.
Long of Houston.	Tillotson.
Long of Wichita.	Turner.
Loy.	Van Zandt.
Magee.	Waddell.
Mankin.	Wallace.
Marks.	Walters.
Maynard.	Warwick.
McDonald.	Webb.
McGill.	West.
Mehl.	Williams
Metcalfe.	of Sabine.
Minor.	Williams
Moore.	of Travis.
Morse.	

Nays—1.

Shelton.

Present—Not Voting.

Wiggs.

Absent.

Allred.	Mauritz.
Baldwin.	McCombs.
Bradley.	Montgomery.
Duvall.	Mosely.
Eickenroht.	Mullally.
Farrar.	O'Neill.
Finn.	Patterson.
Gates.	Prendergast.
Hornaday.	Purl.
Hubbard.	Quinn.
Kenyon.	Renfro.
King.	Westbrook.
Lemens.	Young.
Martin.	

Absent—Excused.

Ackerman.

Anderson.

Avis.	Reid.
Graves of Erath.	Rountree.
Heaton.	Thompson.
Hefley.	Veatch.
Kayton.	Williams
Kinnear.	of Hardin.
McKean.	Woodruff.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Harman, Senate bill No. 25 was ordered not printed.

On motion of Mr. Palmer, House bill No. 53 was ordered not printed.

HOUSE BILL NO. 12 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 12, A bill to be entitled "An Act amending Articles 7084, 7085, 7089, and repealing Articles 1538i, 7088 and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and declaring an emergency."

The bill was read second time.

Mr. Van Zandt offered the following (committee) amendment to the bill:

Amend House bill No. 12 by striking out all below the enacting clause and substituting therefore the following:

Section 1. That Articles 1538i, 7088 and 7090 be repealed, and Articles 7084, 7085 and 7089, Revised Civil Statutes, 1925, be and the same are hereby amended so as to read as follows:

Sec. 2. That Articles 7084 and 7085 of the Revised Civil Statutes of 1925 be amended and combined under Article 7084 so as to read as follows:

Article 7084. (A) Amount of Tax. —Except as herein provided, every domestic and foreign corporation, with or without capital stock, heretofore or hereafter chartered or authorized to do business in Texas, shall, on or before May 1st of each year, pay in advance to the Secretary of State a franchise tax for the year following, based upon that proportion of the cash value of gross assets of such corporation as the gross receipts from its business done in Texas bears to the total gross receipts of the corporation from its entire business, which tax shall be computed at the following rates for each one thousand (\$1000) dollars, or fractional part thereof of the gross cash value of assets: From one (\$1.00) dollar to one million (\$1,000,000), sixty cents (.60); in excess of one million (\$1,000,000) dollars, thirty cents (.30) for each thousand dollars or fractional part thereof;

provided, that such tax shall not be less than ten dollars (\$10) in the case of any corporation. Where a foreign corporation applying for a permit has theretofore done no business in Texas, such tax shall not be payable until the end of one year from the date of such permit, at which time the tax shall be computed according to such first year's business; and at the same time such corporation shall also pay its tax in advance, based upon its first year's business, for the period from the end of the first year to and including May 1st following. In all other cases, the tax shall be computed from the data contained in the reports required by Articles 7087 and 7089.

(B) Corporations created for two or more purposes which are now required by law to pay a separate franchise tax for each purpose authorized or separate business transacted, hereafter instead of paying a franchise tax on each purpose or business shall pay the tax hereinbefore imposed, and after ascertaining said tax an additional one-half ($\frac{1}{2}$) of such tax shall be paid for each additional purpose authorized by law.

(C) Corporations which are now required by law to pay annually a tax upon intangible assets shall by reason thereof be required to pay as a franchise tax an amount equal to only one-fourth ($\frac{1}{4}$) of the franchise tax herein provided for other corporations not exempt from the payment of franchise tax.

Sec. 3. That Article 7089 be amended so as to read as follows:

Article 7089. Report of Corporation.—Except as herein provided, all corporations now required to pay an annual franchise tax shall, between January 1st and March 15th of each year, make a sworn report to the Secretary of State, on blanks furnished by that officer, showing the condition of such corporation on the 31st day of December preceding. The Secretary of State, may for good cause shown by any corporation, extend such time to any date up to May 1st. Said report shall give the cash value of all gross assets of the corporation, the aggregate par value of its authorized capital stock, the number of shares of non-par stock authorized, the capital stock actually paid in, the surplus and undivided profits or deficit, if any, the amount of mortgage, bonded and current indebtedness, the amount and date of payment of the last annual, semi-annual, quarterly or monthly dividend; the total gross receipts of such corporation from all

sources and the gross receipts from its business done in Texas for the calendar year preceding, giving the name of each foreign State or county in which it has a permit to do business. Where a foreign corporation has not theretofore done business in this State and is granted a permit to do business in Texas, it shall file its first report as of the end of one year from the date of such permit, within ninety (90) days of such date. Any corporation which shall fail or refuse to make its reports shall be assessed a penalty of ten per cent of the amount of franchise tax due by such corporation, payable to the Secretary of State, together with its franchise tax. Said reports shall be deemed to be privileged and not for the inspection of the general public, but one interested in the subject matter of any report may secure a copy of same upon presenting an affidavit to the Secretary of State, showing the nature of such interest. Each report shall be sworn to by either the president, vice-president, secretary, treasurer, or general manager, and shall give the name and address of each officer and director. In order to provide means for service of process to collect any franchise tax or penalties, and in all other cases, each foreign corporation shall, for such purpose, designate some person residing in this State whose name and address shall be given in each report.

Sec. 4. The forms prescribed shall contain such other information as the Secretary of State may deem advisable and he may adopt rules and regulations providing for the enforcement of the provisions hereof and may require corporations to cause such records as may be necessary in determining the amount of taxes that may be due hereunder. No tax shall be paid which may not be collected under the State and Federal Constitutions.

Sec. 5. If any corporation shall transact intrastate business in this State without first having obtained a permit under the provisions hereof, such corporation shall forfeit to the State of Texas the sum of one thousand (\$1000) dollars for each day such corporation transacts any intrastate business or maintains an office within the State, to be recovered in a suit, to be brought by the Attorney General, and the State shall have a lien on all property of said corporation for said penalties, and any corporation may be enjoined by such officer, which said suits may be brought in Travis county, Texas, and each day's offense shall constitute a separate offense.

Sec. 6. For the tax year ending April 30, 1931, in order to give sufficient time to meet the requirements of this act, no penalties or forfeitures or reports shall accrue or be made under the provisions of Articles 7091 and 7092, Revised Civil Statutes of 1925, until August 1, 1930. If any corporation shall have paid its franchise tax for the tax year ending April 30, 1931, before this act takes effect, and under the provisions hereof an additional sum for such year shall be due, such corporation shall be required to pay such additional sum on or before August 1, 1930, or if the amount already paid is in excess of the tax that would be due for such year, then the excess payments shall be credited on next year's tax.

Sec. 7. The provisions of this act are severable and if any section, provision or part thereof be declared invalid, then it is hereby declared the legislative intent that the remaining part of this act would be enacted notwithstanding such invalid parts.

Sec. 8. The fact that the present franchise tax law results in discrimination against corporations having par value stock on the one hand, and those having no par stock on the other, and because a tax on the capital stock fails to reach all of the capital on which a corporation does business and therefore fails to distribute evenly the burden of taxation, as where one corporation has a small capital stock with a large capital provided from bonds, while another has a capital stock fairly representing its actual capital, and for the further reason that an attack is now being made on the validity of the franchise tax on foreign corporations, creates an emergency and an imperative public necessity requiring that the constitutional rule that bills be read on three several days in each house be suspended and that this act take effect and be in force from and after its passage and it is so enacted.

Mr. Van Zandt offered the following amendments to the (committee) amendment:

Amend (committee) amendment No. 1 to House bill No. 12 by striking out the word "county," in line 22, on page 5, and insert in lieu thereof the word "country."

Amend (committee) amendment No. 1, House bill No. 12, by adding thereto at the end of Subdivision C on page 5, the following:

"Section D. Provided, however, that this act shall not apply to corporations

organized as terminal companies not organized for profit and having no income from the business done by them."

Signed—Van Zandt, Metcalfe.

Amend (committee) amendment No. 1 of House bill No. 12, by striking out, on page 4, lines 38, 39 and 40 and on page 5 by striking out lines 1 and 2, and substituting in lieu thereof the following:

"(C) Corporations which are now required by law to pay annually a tax upon intangible assets shall by reason thereof be required to pay as a franchise tax for the years 1931 and 1932 and 1933 an amount equal to one-fourth ($\frac{1}{4}$) of the franchise tax herein provided for other corporations not exempt from the payment of franchise tax and thereafter beginning with the year 1934 shall be required to pay as a franchise tax an amount equal to one-fifth ($\frac{1}{5}$) of the franchise tax herein provided for other corporations not exempt from the payment of franchise tax."

Signed—Metcalfe, Van Zandt.

The amendments were severally adopted.

The (committee) amendment as amended was then adopted.

By unanimous consent the caption was ordered amended to conform to all changes made in the body of the bill.

Mr. Van Zandt offered the following amendment to the bill:

Amend House bill No. 12 by striking out all above the enacting clause and substituting therefore the following:

"A bill to be entitled An Act amending Articles 7084, 7085, 7089 and repealing Articles 1538i, 7088 and 7090, Revised Civil Statutes, 1925; levying and imposing franchise taxes on domestic and foreign corporations and providing for the collection thereof; providing the method, manner, scale and time of computation; providing for the enforcement of the provisions hereof; prescribing offenses; declaring liens, penalties and fines, and declaring an emergency."

The amendment was adopted.

House bill No. 12 was then passed to engrossment.

HOUSE BILL NO. 12 ON THIRD READING.

Mr. Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	Long of Wichita.
Acker.	Loy.
Adkins.	Magee.
Allred.	Mankin.
Baker.	Marks.
Barnett.	Mauritz.
Bateman.	Maynard.
Bond.	McGill.
Bounds.	Mehl.
Brice.	Metcalfe.
Brooks.	Moore.
Carpenter.	Morse.
Chastain.	Negley.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
DeWolfe.	Pope of Nueces.
Finlay.	Quinn.
Forbes.	Ray.
Fuchs.	Reader.
Gates.	Reid.
Giles.	Renfro.
Hardy.	Richardson.
Harding.	Rogers.
Harman.	Sanders.
Harper.	Savage.
Harrison.	Shaver.
Heaton.	Sherrill.
Hines.	Simmons.
Hogg.	Sinks.
Holder.	Snelgrove.
Hubbard.	Speck.
Jenkins.	Stephens.
Johnson	Stevenson.
of Dallam.	Tarwater.
Johnson	Terrell.
of Dimmit.	Tillotson.
Johnson of Smith.	Van Zandt.
Johnson of Scurry.	Wallace.
Jones.	Walters.
Justiss.	Warwick.
Keller.	West.
Kincaid.	Williams
King.	of Sabine.
Land.	Williams
Lee.	of Travis.

Nays—15.

Albritton.	Kennedy.
Beck.	McCombs.
Bradley.	Murphy.
Dunlap.	Patterson.
Enderby.	Pavlica.
Gilbert.	Purl.
Graves	Storey.
of Williamson.	Wiggs.

Present—Not Voting.

Farrar.	Webb.
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Absent.

Baldwin.	Minor.
Duvall.	Montgomery.
Eickenroht.	Mosely.
Finn.	Mullally.
Hopkins.	Nicholson.
Hornaday.	O'Neill.
Keeton.	Prendergast.
Kemble.	Riley.
Kenyon.	Shelton.
Lemens.	Turner.
Long of Houston.	Waddell.
Martin.	Westbrook.
McDonald.	Young.

Absent—Excused.

Ackerman.	McKean.
Anderson.	Rountree.
Avis.	Thompson.
Graves of Erath.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.

The Speaker then laid House bill No. 12 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 54 ON SECOND READING.

On motion of Mr. Petsch, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 54, A bill to be entitled "An Act amending Articles 5738 and 5742 of the Revised Civil Statutes of 1925, as amended by Senate bill No. 84, Acts of the Fourth Called Session of the Forty-first Legislature, filed in the office of the Secretary of State February 17, 1930, relating to co-operative marketing associations, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 54 ON THIRD READING.

Mr. Petsch moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	Adkins.
Acker.	Albritton.

Allred.	Magee.
Baker.	Mankin.
Barnett.	Marks.
Bateman.	Mauritz.
Beck.	Maynard.
Bounds.	McCombs.
Brice.	McGill.
Brooks.	Mehl.
Carpenter.	Metcalf.
Chastain.	Minor.
Coltrin.	Moore.
Conway.	Morse.
Cox of Lamar.	Murphy.
Cox of Limestone.	Negley.
Davis.	Nicholson.
DeWolfe.	Olsen.
Dunlap.	Palmer.
Enderby.	Patterson.
Farrar.	Pavlica.
Finlay.	Petsch.
Forbes.	Pope of Jones.
Fuchs.	Pope of Nueces.
Gates.	Purl.
Gilbert.	Quinn.
Giles.	Ray.
Graves	Reader.
of Williamson.	Reid.
Hardy.	Renfro.
Harding.	Richardson.
Harman.	Rogers.
Harper.	Sanders.
Harrison.	Savage.
Heaton.	Shaver.
Hines.	Sherrill.
Hogg.	Simmons.
Holder.	Sinks.
Hubbard.	Snelgrove.
Jenkins.	Speck.
Johnson	Stephens.
of Dallam.	Storey.
Johnson	Tarwater.
of Dimmit.	Terrell.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Van Zandt.
Jones.	Waddell.
Justiss.	Wallace.
Keller.	Walters.
Kemble.	Warwick.
Kennedy.	Webb.
Kincaid.	West.
King.	Wiggs.
Land.	Williams
Lee.	of Sabine.
Long of Wichita.	Williams
Loy.	of Travis.

Absent.

Baldwin.	Kenyon.
Bond.	Lemens.
Bradley.	Long of Houston.
Duvall.	Martin.
Eickenroht.	McDonald.
Finn.	Montgomery.
Hopkins.	Mosely.
Hornaday.	Mullally.
Keeton.	O'Neill.

Pool.	Stevenson.
Prendergast.	Turner.
Riley.	Westbrook.
Shelton.	Young.

Absent—Excused.

Ackerman.	McKean.
Anderson.	Rountree.
Avis.	Thompson.
Graves of Erath.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.

The Speaker then laid House bill No. 54 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Jones.
Acker.	Justiss.
Adkins.	Keller.
Albritton.	Kemble.
Baker.	Kennedy.
Barnett.	King.
Bateman.	Land.
Bounds.	Lee.
Brice.	Long of Houston.
Brooks.	Long of Wichita.
Carpenter.	Loy.
Chastain.	Magee.
Coltrin.	Mankin.
Conway.	Marks.
Cox of Lamar.	Maynard.
Cox of Limestone.	McCombs.
Davis.	McGill.
DeWolfe.	Mehl.
Dunlap.	Metcalf.
Enderby.	Minor.
Farrar.	Moore.
Finlay.	Morse.
Forbes.	Murphy.
Fuchs.	Negley.
Gilbert.	Nicholson.
Giles.	Olsen.
Graves	Palmer.
of Williamson.	Patterson.
Hardy.	Pavlica.
Harding.	Petsch.
Harman.	Pope of Nueces.
Harper.	Purl.
Harrison.	Quinn.
Heaton.	Ray.
Hines.	Reader.
Hogg.	Reid.
Holder.	Renfro.
Jenkins.	Richardson.
Johnson	Rogers.
of Dallam.	Savage.
Johnson	Shaver.
of Dimmit.	Sherrill.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Sinks.

Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.
Tarwater.
Terrell.
Van Zandt.
Waddell.
Wallace.

Walters.
Warwick.
Webb.
West.
Wiggs.
Williams
of Sabine.
Williams
of Travis.

Harman.
Harper.
Heaton.
Hines.
Hogg.
Hornaday.
Hubbard.
Jenkins.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Jones.
Justiss.
Keller.
Kemble.
Kennedy.
Kincaid.
King.
Land.
Lee.
Long of Houston.
Long of Wichita.
Loy.
Magee.
Mankin.
Marks.
Mauritz.
Maynard.
Mehl.
Metcalf.
Moore.
Morse.
Murphy.
Negley.
Nicholson.
Olsen.
Palmer.

Patterson.
Pavlica.
Petsch.
Pool.
Pope of Jones.
Pope of Nueces.
Purl.
Ray.
Reader.
Reid.
Renfro.
Richardson.
Rogers.
Sanders.
Savage.
Shaver.
Shelton.
Sherrill.
Simmons.
Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.
Tarwater.
Terrell.
Van Zandt.
Waddell.
Wallace.
Walters.
Warwick.
Webb.
West.
Williams
of Sabine.
Williams
of Travis.

Absent.

Ackerman.
Allred.
Anderson.
Avis.
Baldwin.
Beck.
Bond.
Bradley.
Duvall.
Eickenroht.
Finn.
Gates.
Graves of Erath.
Hefley.
Hopkins.
Hornaday.
Hubbard.
Kayton.
Keeton.
Kenyon.
Kincaid.
Kinnear.
Lemens.
Martin.

Mauritz.
McDonald.
McKean.
Montgomery.
Mosely.
Mullally.
O'Neill.
Pool.
Pope of Jones.
Prendergast.
Riley.
Rountree.
Sanders.
Shelton.
Thompson.
Tillotson.
Turner.
Veatch.
Westbrook.
Williams
of Hardin.
Woodruff.
Young.

SENATE BILL NO. 25 ON SECOND
READING.

Mr. Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 25 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.
Acker.
Adkins.
Albritton.
Baker.
Barnett.
Bateman.
Beck.
Bond.
Bounds.
Bradley.
Brice.
Chastain.
Coltrin.
Conway.

Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Finlay.
Forbes.
Fuchs.
Gates.
Gilbert.
Giles.
Graves
of Williamson.
Hardy.
Harding.

Nays—6.

Brooks.
Enderby.
Eickenroht.

Harrison.
McGill.
Quinn.

Absent.

Allred.
Baldwin.
Carpenter.
Duvall.
Farrar.
Finn.
Holder.
Hopkins.
Johnson
of Dallam.
Keeton.
Kenyon.
Lemens.
Martin.
McCombs.

McDonald.
Minor.
Montgomery.
Mosely.
Mullally.
O'Neill.
Prendergast.
Riley.
Sinks.
Tillotson.
Turner.
Westbrook.
Wiggs.
Young.

Absent—Excused.

Ackerman.
Anderson.
Avis.

Hefley.
Kayton.
Kinnear.
McKean.

Graves of Erath.

Rountree.
Thompson.
Veatch.

Williams
of Hardin.
Woodruff.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 25, A bill to be entitled "An Act enlarging the powers and duties of the Railroad Commission of Texas with reference to conservation, transportation, storage, and purchase of petroleum and its products in this State; designating as public utilities the owners, operators and managers of oil storage tanks and storage facilities for the public hire, etc., and declaring an emergency."

The bill was read second time.
(Mr. Beck in the chair.)

RECESS.

On motion of Mr. Kemble, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Mr. Holder.

SENATE BILL NO. 25 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 25, relative to the storage and transportation of oil, the bill having heretofore been read second time.

(Speaker in the chair.)

Mr. Pope of Nueces offered the following amendment to the bill:

Amend Senate bill No. 25 by adding, between Sections 12 and 13, a new section, to be numbered Section 12a, and to read as follows:

"Sec. 12a. No act, provision or authorization required, permitted, directed or suffered by virtue of this act shall in any sense be construed or understood to in any manner impair, limit, abridge or modify any anti-trust law or laws of the State of Texas."

On motion of Mr. DeWolfe, the amendment was tabled.

Mr. Tarwater moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate bill No. 25 was then passed to third reading.

(Mr. Beck in the chair.)

SENATE BILL NO. 25 ON THIRD READING.

The Speaker then laid Senate bill No. 25 before the House on its third reading and final passage.

The bill was read third time.

Mr. Pope of Nueces offered the following amendment to the bill:

Amend Senate bill No. 25 by adding, between Sections 12 and 13, a new section, to be numbered Section 12a, and to read as follows:

"Sec. 12a. No act, provision or authorization required, permitted, directed or suffered by virtue of this act shall in any sense be construed or understood to in any manner impair, limit, abridge or modify any anti-trust law or laws of the State of Texas."

The amendment was lost.

Senate bill No. 25 was then passed by the following vote:

Yeas—91.

Mr. Speaker.	Keeton.
Adkins.	Keller.
Albritton.	Kemble.
Allred.	Kennedy.
Baker.	Kincaid.
Barnett.	Land.
Bateman.	Lee.
Beck.	Lemens.
Bounds.	Long of Houston.
Brice.	Long of Wichita.
Carpenter.	Loy.
Chastain.	Magee.
Coltrin.	Marks.
Conway.	Maynard.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDonald.
Davis.	Mehl.
DeWolfe.	Metcalfe.
Dunlap.	Murphy.
Eickenroht.	Negley.
Finn.	Olsen.
Finlay.	Palmer.
Forbes.	Patterson.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves	Pope of Jones.
of Williamson.	Purl.
Hardy.	Ray.
Harding.	Reader.
Harper.	Renfro.
Heaton.	Richardson.
Hines.	Rogers.
Hopkins.	Savage.
Hornaday.	Shaver.
Johnson	Shelton.
of Dallam.	Sherrill.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Sinks.
Jones.	Snelgrove.
Justiss.	Stephens.

Stevenson.	Warwick.
Storey.	Webb.
Tarwater.	West.
Terrell.	Wiggs.
Tillotson.	Williams
Van Zandt.	of Travis.
Wallace.	Young.
Walters.	

Nays—12.

Acker.	Mankin.
Bradley.	McGill.
Enderby.	Moore.
Harrison.	Morse.
Hogg.	Pool.
Hubbard.	Quinn.

Present—Not Voting.

Pope of Nueces.

Absent.

Baldwin.	Minor.
Bond.	Montgomery.
Brooks.	Mosely.
Duvall.	Mullally.
Farrar.	Nicholson.
Fuchs.	O'Neill.
Gates.	Prendergast.
Harman.	Riley.
Holder.	Sanders.
Jenkins.	Speck.
Johnson	Turner.
of Dimmit.	Waddell.
Kenyon.	Westbrook.
King.	Williams
Martin.	of Sabine.
Mauritz.	

Absent—Excused.

Ackerman.	Reid.
Anderson.	Rountree.
Avis.	Thompson.
Graves of Erath.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.
McKean.	

Mr. Kemble moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 7, 1930.
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 17 by a two-thirds vote of 30 yeas and 1 nay.

Has passed

H. B. No. 2, A bill to be entitled "An Act amending Article 7066, Revised Civil Statutes, relating to occupation taxes on the production of sulphur, which amendment provided for an occupation tax of \$1.00 per long ton of all sulphur produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep records; providing penalties for failure to pay tax; directing the bringing of suit for the recovery of taxes, penalty and interest, and declaring an emergency," with amendment.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 2, WITH SENATE AMENDMENTS.

Mr. Sanders called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 2, A bill to be entitled "An Act amending Article 7066, Revised Civil Statutes, relating to occupation taxes on the production of sulphur, which amendment provided for an occupation tax of \$1.00 per long ton of all sulphur produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep records; providing penalties for failure to pay tax; directing the bringing of suit for the recovery of taxes, penalty and interest, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Sanders moved that the House do not concur in the Senate amendments and that a free conference committee be requested to adjust the differences between the two houses on the bill.

Mr. Morse moved that the House concur in the Senate amendments.

Mr. Gilbert moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. Morse that the House concur in the Senate amendments, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—29.

Albritton.	Gates.
Beck.	Hardy.
Bounds.	Harman.
Carpenter.	Harrison.
Finn.	Justiss.

Kemble.
Kennedy.
Kincaid.
Land.
Maynard.
McCombs.
Moore.
Morse.
Murphy.
Patterson.

Pavlica.
Pope of Nueces.
Quinn.
Savage.
Shelton.
Sherrill.
Storey.
Tillotson.
Webb.

Snelgrove.
Stevenson.
Turner.
Waddell.

Westbrook.
Williams
of Sabine.

Absent—Excused.

Ackerman.
Anderson.
Avis.
Graves of Erath.
Hefley.
Kayton.
Kinnear.

McKean.
Rountree.
Thompson.
Veatch.
Williams
of Hardin.
Woodruff.

Nays—76.

Mr. Speaker.
Adkins.
Allred.
Baker.
Barnett.
Bateman.
Bradley.
Brice.
Chastain.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Enderby.
Eickenroht.
Forbes.
Gilbert.
Giles.
Graves
of Williamson.
Harding.
Harper.
Heaton.
Hines.
Hogg.
Hubbard.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Jones.
Keeton.
Keller.
King.
Lemens.

Long of Houston.
Loy.
Magee.
Mankin.
Marks.
Mauritz.
McDonald.
McGill.
Mehl.
Minor.
Negley.
Olsen.
Palmer.
Petsch.
Pool.
Pope of Jones.
Purl.
Ray.
Reader.
Reid.
Renfro.
Richardson.
Rogers.
Sanders.
Shaver.
Simmons.
Sinks.
Speck.
Stephens.
Tarwater.
Terrell.
Van Zandt.
Wallace.
Walters.
Warwick.
West.
Wiggs.
Williams
of Travis.
Young.

Absent.

Acker.
Baldwin.
Bond.
Brooks.
Duvall.
Farrar.
Finlay.
Fuchs.
Holder.
Hopkins.
Hornaday.
Jenkins.

Kenyon.
Lee.
Long of Wichita.
Martin.
Metcalf.
Montgomery.
Mosely.
Mullally.
Nicholson.
O'Neill.
Prendergast.
Riley.

Question then recurring on the motion by Mr. Sanders that the House do not concur in the Senate amendments, it prevailed.

NOTICE GIVEN.

Mr. Purl gave notice that he would on tomorrow call up, for consideration at that time, House bill No. 60, which bill had heretofore been laid on the table subject to call.

HOUSE BILL NO. 12 ON FINAL PASSAGE.

Mr. Beck moved to reconsider the vote by which House bill No. 12 was passed. The motion to reconsider prevailed.

House bill No. 12 was then passed by the following vote:

Yeas—100.

Mr. Speaker.
Adkins.
Albritton.
Allred.
Baker.
Barnett.
Beck.
Bounds.
Bradley.
Brice.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Enderby.
Eickenroht.
Finn.
Forbes.
Gilbert.
Giles.
Graves
of Williamson.
Hardy.
Harman.
Harper.

Harrison.
Heaton.
Hines.
Hogg.
Hubbard.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Jones.
Justiss.
Keeton.
Keller.
Kemble.
Kennedy.
Kincaid.
King.
Land.
Long of Houston.
Loy.
Magee.
Mankin.
Marks.
Mauritz.
Maynard.
McDonald.
McGill.
Minor.

Moore.	Shaver.
Murphy.	Shelton.
Negley.	Sherrill.
Olsen.	Simmons.
Palmer.	Sinks.
Patterson.	Speck.
Pavlica.	Stephens.
Petsch.	Storey.
Pool.	Tarwater.
Pope of Jones.	Terrell.
Pope of Nueces.	Tillotson.
Purl.	Van Zandt.
Quinn.	Wallace.
Ray.	Walters.
Reader.	Warwick.
Reid.	Webb.
Renfro.	West.
Richardson.	Wiggs.
Rogers.	Williams
Sanders.	of Travis.
Savage.	Young.

Nays—2.

Gates.	McCombs.
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Absent.

Acker.	Martin.
Baldwin.	Mehl.
Bateman.	Metcalfe.
Bond.	Montgomery.
Brooks.	Morse.
Duvall.	Mosely.
Farrar.	Mullally.
Finlay.	Nicholson.
Fuchs.	O'Neill.
Harding.	Prendergast.
Holder.	Riley.
Hopkins.	Snelgrove.
Hornaday.	Stevenson.
Jenkins.	Turner.
Kenyon.	Waddell.
Lee.	Westbrook.
Lemens.	Williams
Long of Wichita.	of Sabine.

Absent—Excused.

Ackerman.	McKean.
Anderson.	Rountree.
Avis.	Thompson.
Graves of Erath.	Veatch.
Hefley.	Williams
Kayton.	of Hardin.
Kinnear.	Woodruff.

Reason for Vote.

My reason for moving reconsideration for House bill No. 12 and then voting for same was to enable proponents to obtain 100 votes so as to place it in effect immediately. I think this an unwise measure, but since it may become a law the emergency clause will prevent the State from defending a suit now

pending in Federal Court to test the validity of the old law.

BECK.

HOUSE BILL NO. 19 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 19, A bill to be entitled "An Act amending Article 7060 of the Revised Civil Statutes of 1925, so as to increase the gross receipts taxes upon those engaged in owning, operating, managing or controlling any gas, electric light, electric power or waterworks, or water and light plant, within this State and charging for gas, electric lights, electric power or water, and levying said tax without regard to the population of the town or city in which same is operated, and declaring an emergency."

The bill was read second time.

Mr. Hubbard offered the following (committee) amendment to the bill:

Amend House bill No. 19 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Article 7060 of the Revised Civil Statutes of 1925 is hereby amended so as to read as follows:

"Article 7060. Each individual, company, corporation or association, owning, operating or managing or controlling any gas, electric light, electric power or water works, or water and light plant, located within any incorporated town or city in this State, and used for local sale and distribution in said town or city, and charging for such gas, electric lights, electric power or water, shall make quarterly, on the first days of January, April, July and October of each year, a report to the Comptroller under oath of the individual or of the president, treasurer or superintendent of such company, corporation or association, showing the gross amount received from such business done in each such incorporated city or town within this State in the payment of charges for such gas, electric lights, electric power or water, for the quarter next preceding; said individual, company, corporation or association, at the time of making said report for any such incorporated town or city, shall pay to the Treasurer of this State an occupation tax for the quarter beginning on said date equal to one-half of 1 per cent of said gross receipts, as shown by said report; nothing herein shall apply to any such gas, electric light, power or

waterworks, or water and light plant, within this State owned and operated by any city or town, nor to any county or water improvement or conservation district."

Sec. 2. Sections 17, 18 and 19 of Article 7047 of the Revised Civil Statutes of 1925 are hereby repealed.

Sec. 3. The fact that there is urgent need for the revenue provided for in this act creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be, and the same is hereby, suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Tillotson offered the following amendment to the (committee) amendment:

Amend committee amendments Nos. 1 and 2 to House bill No. 19 by striking out of said committee amendments to word "gas" in line 2 of Article 7060 of the said committee amendment and elsewhere in the said committee amendment wherever it appears.

On motion of Mr. Hubbard, the amendment to the (committee) amendment was then tabled.

The (committee) amendment was then adopted.

Mr. Hubbard offered the following (committee) amendment to the bill:

Amend House bill No. 19 by striking out all above the enacting clause and inserting in lieu thereof the following:

A bill to be entitled "An Act amending Article 7060 of the Revised Civil Statutes of 1925, so as to increase and provide for gross receipts taxes upon those engaged in owning, operating, managing or controlling any gas, electric light, electric power or waterworks, or water and light plant, for local sale and distribution in any incorporated town or city within this State and charging for gas, electric lights, electric power or water, and levying said tax without regard to the population of the incorporated town or city in which same is operated; repealing Sections 17, 18 and 19 of Article 7047 of the Revised Civil Statutes of 1925, and declaring an emergency."

The amendment was adopted.

Mr. Hardy offered the following amendment to the bill:

Amend the bill by striking out the enacting clause.

On motion of Mr. Hubbard, the amendment was tabled.

House bill No. 19 was then passed to engrossment.

CONFERENCE COMMITTEE APPOINTED.

The Speaker announced the appointment of the following conference committee on House bill No. 2:

Messrs. Sanders, Hogg, Wallace, Morse and Mauritz.

MOTION TO TAKE UP HOUSE BILL NO. 19.

Mr. Hubbard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 19 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—81.

Mr. Speaker.	Marks.
Allred.	Maynard.
Baker.	McCombs.
Barnett.	McDonald.
Bateman.	McGill.
Bounds.	Mehl.
Bradley.	Minor.
Brice.	Moore.
Brooks.	Morse.
Carpenter.	Murphy.
Coltrin.	Negley.
Conway.	Olsen.
Cox of Lamar.	Palmer.
Enderby.	Patterson.
Eickenroht.	Pavlica.
Forbes.	Petach.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Purl.
Harman.	Quinn.
Harper.	Reader.
Harrison.	Reid.
Heaton.	Richardson.
Hines.	Rogers.
Hubbard.	Sanders.
Johnson	Savage.
of Dallam.	Shaver.
Johnson	Simmons.
of Dimmit.	Sinks.
Johnson of Smith.	Speck.
Johnson of Scurry.	Stephens.
Jones.	Storey.
Justiss.	Tarwater.
Keeton.	Terrell.
Keller.	Van Zandt.
Kemble.	Wallace.
King.	Walters.
Land.	Warwick.
Lemens.	West.
Long of Houston.	Wiggs.
Loy.	Williams
Magee.	of Travis.

Nays—20.

Albritton.	Long of Wichita.
Chastain.	Mankin.
Cox of Limestone.	Pope of Nueces.
Davis.	Renfro.
Finn.	Shelton.
Gilbert.	Sherrill.
Hardy.	Snelgrove.
Kayton.	Tillotson.
Kennedy.	Webb.
Kincaid.	Young.

Absent.

Acker.	Lee.
Adkins.	Martin.
Baldwin.	Mauritz.
Beck.	McKean.
Bond.	Metcalfe.
DeWolfe.	Montgomery.
Dunlap.	Mosely.
Duvall.	Mullally.
Farrar.	Nicholson.
Finlay.	O'Neill.
Fuchs.	Prendergast.
Gates.	Ray.
Harding.	Riley.
Hogg.	Stevenson.
Holder.	Turner.
Hopkins.	Waddell.
Hornaday.	Westbrook.
Jenkins.	Williams
Kenyon.	of Sabine.

Absent—Excused.

Ackerman.	Rountree.
Anderson.	Thompson.
Avis.	Veatch.
Graves of Erath.	Williams
Hefley.	of Hardin.
Kinnear.	Woodruff.

HOUSE BILL NO. 19 ON THIRD.
READING.

Mr. Chastain and Mr. Hubbard again moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—82.

Mr. Speaker.	Coltrin.
Albritton.	Conway.
Allred.	Cox of Lamar.
Baker.	Enderby.
Barnett.	Eickenroht.
Bounds.	Finn.
Bradley.	Forbes.
Brice.	Giles.
Brooks.	Graves
Carpenter.	of Williamson.
Chastain.	Harman.

Harper.	Negley.
Harrison.	Olsen.
Heaton.	Palmer.
Hines.	Pavlica.
Hubbard.	Petsch.
Johnson	Pool.
of Dallam.	Pope of Jones.
Johnson	Quinn.
of Dimmit.	Reader.
Johnson of Smith.	Reid.
Johnson of Scurry.	Richardson.
Jones.	Rogers.
Justiss.	Sanders.
Keeton.	Savage.
Keller.	Shaver.
Kemble.	Shelton.
Kennedy.	Sherrill.
King.	Simmons.
Land.	Sinks.
Lemens.	Speck.
Long of Houston.	Stephens.
Loy.	Storey.
Magee.	Tarwater.
Mauritz.	Terrell.
Maynard.	Van Zandt.
McDonald.	Wallace.
McGill.	Walters.
Mehl.	Warwick.
Minor.	West.
Moore.	Wiggs.
Morse.	Williams
Murphy.	of Travis.

Nays—13.

Cox of Limestone.	Mankin.
Davis.	Marks.
Gilbert.	McCombs.
Hardy.	Pope of Nueces.
Kayton.	Renfro.
Kincaid.	Young.
Long of Wichita.	

Present—Not Voting.

DeWolfe.	Stevenson.
Purl.	Tillotson.
Snelgrove.	Webb.

Absent.

Acker.	Kenyon.
Adkins.	Lee.
Baldwin.	Martin.
Bateman.	Metcalfe.
Beck.	Montgomery.
Bond.	Mosely.
Dunlap.	Mullally.
Duvall.	Nicholson.
Farrar.	O'Neill.
Finlay.	Patterson.
Fuchs.	Prendergast.
Gates.	Ray.
Harding.	Riley.
Hogg.	Turner.
Holder.	Waddell.
Hopkins.	Westbrook.
Hornaday.	Williams
Jenkins.	of Sabine.

Absent—Excused.

Ackerman.	Rountree.
Anderson.	Thompson.
Avis.	Veatch.
Graves of Erath.	Williams
Hefley.	of Hardin.
Kinnear.	Woodruff.
McKean.	

The Speaker then laid House bill No. 19 before the House on its third reading and final passage.

The bill was read third time, and was passed.

COMMUNICATION FROM ATTOR-
NEY GENERAL'S DEPART-
MENT.

The following communication was ordered printed in the Journal:

Offices of the Attorney General.

Austin, Texas, March 7, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives, Capitol.

Dear Sir: The Department is in receipt of your letter of the 6th instant asking whether a bill drafted so as to include only counties with a certain population as of a definite date is unconstitutional. You do not state the nature of the subject-matter of the bill, but we assume, as stated in your letter, that it is of such nature that the constitutional provision prohibiting special and local laws is applicable.

You cite as an illustration a bill which provides that it shall apply in all counties having a population of not less than 150,000 nor more than 200,000 according to the 1920 Federal census.

There is a good deal of conflict in the authorities of other jurisdictions on this question. In Texas, too, the authorities are not entirely reconcilable.

In *Clark vs. Finley*, 93 Texas 171, decided by the Supreme Court in 1899, the question was raised on a bill fixing fees of certain officers in counties in which the vote at the last election for President was less than 3,000. In a lengthy opinion, in which is discussed the distinction between general, local and special laws, the court says:

"It is plain from the reading of the statute in question that it was not contemplated that it should have effect in every county of the State. While by the determination of the extrinsic facts its operation in the main may be restricted to a minority of the counties in the State, still it applies generally to the whole State. Besides, the territory is not fixed, but is subject to change

according to the increase or decrease of the population of the respective counties as may appear by the vote."

It would appear from the above language that a different question would be presented where the population was fixed as a definite date, thus excluding from the operation thereof counties that may hereafter increase in population so as to come within the terms of the law.

However, in *Smith vs. State*, 113 S. W. 289, the direct question was before our Court of Criminal Appeals as to whether or not such a law applicable only to counties of a certain population as of a definite date would be unconstitutional. The law in this case provided the method of drawing names of jurors and was made applicable only to counties having cities aggregating 20,000 in population according to the census of 1900.

In upholding the validity of this law the court discussed the case of *Clark vs. Finley*, supra, and cited it as authority for the court's decision. In the opinion it is said:

"The only difference between the jury law under consideration and the fee bill that was passed on in the *Clark vs. Finley* case is the fact that the jury law makes no provision for counties having the requisite population thereafter to come within its provisions, whereas the fee bill does, but a careful perusal of the *Clark vs. Finley* case will show that the court did not attempt to say, nor do they intimate, that the opinion of the court in that case was based, as appellant insists, upon the clause authorizing other counties each recurring four years to come within its provisions. In fact, to have so held would have been non-sequitur. That is to say, there would have been no rational reason for holding that the fee bill was a general law and not a special law because it provided that the other counties might come within its provisions each recurring four years. This provision would make it no less a general law and no more a special law.

In *Smith vs. State*, supra, there is a dissenting opinion by Presiding Judge Davidson, in which he considers at length this question and he makes a distinction between a bill which would preclude counties thereafter meeting the requirements coming within its provisions and a bill which applies to counties of a class now or that may hereafter meet the requirements.

In *Smith vs. State*, supra, it is held that under Article 3, Section 56, of the Constitution, a general law need not be

general to the extent that it has a uniform operation throughout the State, but simply that in its nature and character it should apply equally to all persons within the territorial limits describing it and is equal in its effect on all persons or things on which the law is designed to operate, and no distinction is made as to laws applying to counties of a certain population as of a definite date and laws applying to counties of a certain population as of the last Federal census.

While the writer is in doubt as to the correctness of the court's decision in *Smith vs. State*, supra, you are advised that under the decision in that case a general bill providing that it shall apply only in all counties having a population of not less than 150,000 nor more than 200,000, according to the 1920 Federal census, would be constitutional.

Very truly yours,
SLOAN BLAIR,
Assistant Attorney General.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 17, "An Act creating an additional district court for Harris county; defining its jurisdiction; adjusting the business of the existing district courts to the business thereof; prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

S. B. No. 33, "An Act providing for and authorizing for exchange between the State of Texas and the Concho, San Saba and Llano Valley Railroad Company of certain lands belonging to them, respectively, situated in Tom Green county, Texas, and the execution of deeds of conveyance effecting such exchange, placing the land to be so acquired by and conveyed to the State in and under the possession, control and management of the State Board of Control, and constituting same a part of the grounds of said State Tuberculosis Sanatorium, and declaring an emergency."

S. B. No. 25, "An Act enlarging the powers and duties of the Railroad Commission of Texas with reference to conservation, transportation, storage and purchase of petroleum and its products in this State; designating as public utilities the owners, operators and managers of oil storage tanks and storage facilities for the public hire, etc., and declaring an emergency."

ADJOURNMENT.

Mr. Purl moved that the House adjourn until 8:30 o'clock a. m. tomorrow.

Mr. Van Zandt and Mr. Johnson of Dimmit moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Wallace moved that the House recess until 10 o'clock a. m. tomorrow.

Question first recurring on the motion by Mr. Purl, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—46.

Albritton.	Loy.
Baker.	Magee.
Barnett.	McCombs.
Bounds.	McDonald.
Bradley.	McGill.
Brooks.	Minor.
Chastain.	Moore.
Cox of Limestone.	Morse.
Davis.	Murphy.
Forbes.	Pavlica.
Giles.	Pope of Jones.
Graves	Purl.
of Williamson.	Quinn.
Hardy.	Rogers.
Harman.	Savage.
Johnson	Sherrill.
of Dallam.	Simmons.
Johnson	Speck.
of Dimmit.	Stephens.
Jones.	Storey.
Kayton.	Tarwater.
Keller.	Terrell.
Kennedy.	Van Zandt.
King.	Wiggs.
Land.	

Nays—28.

Mr. Speaker.	Negley.
Allred.	Palmer.
Brice.	Reader.
Carpenter.	Reid.
Coltrin.	Renfro.
Conway.	Shaver.
Cox of Lamar.	Snelgrove.
Gilbert.	Tillotson.
Heaton.	Wallace.
Hopkins.	Warwick.
Justiss.	Webb.
Long of Houston.	Williams
Mauritz.	of Travis.
Maynard.	Young.
Mehl.	

Absent.

Acker.	DeWolfe.
Adkins.	Dunlap.
Baldwin.	Duvall.
Bateman.	Enderby.
Beck.	Eickenroht.
Bond.	Farrar.

Finn.	Metcalf.
Finlay.	Montgomery.
Fuchs.	Mosely.
Gates.	Mullally.
Harding.	Nicholson.
Harper.	Olsen.
Harrison.	O'Neill.
Hefley.	Patterson.
Hines.	Petsch.
Hogg.	Pool.
Holder.	Pope of Nueces.
Hornaday.	Prendergast.
Hubbard.	Ray.
Jenkins.	Richardson.
Johnson of Smith.	Riley.
Johnson of Scurry.	Sanders.
Keeton.	Shelton.
Kemble.	Sinks.
Kenyon.	Stevenson.
Kincaid.	Turner.
Lee.	Waddell.
Lemens.	Walters.
Long of Wichita.	West.
Mankin.	Westbrook.
Marks.	Williams
Martin.	of Sabine.

Absent—Excused.

Ackerman.	Rountree.
Anderson.	Thompson.
Avis.	Veatch.
Graves of Erath.	Williams
Kinnear.	of Hardin.
McKean.	Woodruff.

The House accordingly, at 6:10 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Game and Fisheries: House bill No. 100.

Judiciary: House bill No. 78.

Oil, Gas and Mining: Senate bill No. 25.

Revenue and Taxation: House bill No. 41.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 7, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 12, A bill to be entitled "An Act amending Articles 7084, 7085

and 7089 and repealing Articles 1538i, 7088 and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and providing for the collection thereof; providing the method, manner, scale and time of computation; providing for the enforcement of the provisions hereof; prescribing offenses; declaring liens, penalties and fines, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 6, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 5, Requesting Hon. Henry Ford to establish educational institutions in Texas,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

THIRTEENTH DAY.

(Saturday, March 8, 1930.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and developed the fact that there was not a quorum present.

Mr. Purl moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Purl, the Sergeant-at-Arms and the committee clerks were instructed to bring in all absent members within the city who are not ill.

The roll was again called, and the following members were present:

Mr. Speaker.	Barnett.
Acker.	Bateman.
Adkins.	Beck.
Albritton.	Bounds.
Allred.	Bradley.
Baker.	Brice.